(3)

P.R. No. 5133/05
Presented by Sameer Sahu
dated 30/9/05

C.F. 100/
SINGLE BENCH

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. ...../2005

PETITIONER: Yogesh kumar Sonwani, S/o. Shri P.L.Sonwani, Age 19 years, R/o.Durga Chouck, Doundi, District- Durg (C.G.), Student of B.Com Final, Govt V.N.College, G.E.Road Durg

VERSUS

RESPONDENT: THE REGISTRAR
PT. RAVISHANKER UNIVERSITY
RAIPUR [C.G.]

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(25)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ...W.P.No.5061/05... **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	7-11-2005 Heard Mr. Ashok Vaishnav, counsel for the petitioner, on admission. By this writ petition under Article 226/227 of the Constitution of India, the petitioner has prayed to direct the respondent authorities to produce the answer sheets of Corporate Accounting & English subjects and same may be got scrutinized by an expert. The case of the petitioner is that he is a student of B.Com. final, He had appeared in B.Com Part-II examination, he attempted all the questions of Corporate Accounting & English papers and expected very good marks as he answered all the questions correctly, but he has been awarded 12 marks in Corporate Accounting and 30 marks in English, whereas he was confident to secure more than 62 marks in Corporate Accounting and more than 50 marks in English. The petitioner applied for revaluation, but it appears that the answer sheets have not been revaluated properly and therefore, the petitioner has been informed no change. Having heard learned counsel for the petitioner, I have perused the writ petition and the relevant record. Perusal of the marks sheet (Annexure P-5) shows that in first paper of English subject the petitioner secured 43 marks and in second paper he secured 30 marks, thereby out of 150 he secured 73 marks. Same is the case in Accounting subject in which he secured 12 marks in first paper and 50 marks in second paper, in all he secured 62 marks out of 150. Perusal of the previous marks sheet Annexure P-2 of B.Com Part-I shows that the petitioner secured only 5 marks in first paper of Accounting subject and this time he has secured 12 marks. Similarly, in previous examination, the petitioner secured 39 marks in 2nd paper of English subject and this time he secured 30 marks in the same	

SP/FS/2005 - 20,000

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 5061/05 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

subject. Therefore, it is not a case where it can be said that marks have been awarded to the petitioner shocking to the conscience. If the two marks sheets are compared the performance of the petitioner is almost similar. Moreover, the petitioner had applied for revaluation that has been done by the University, and no change has been found on revaluation.

Therefore, in the above circumstances, I am of the opinion that the petitioner has not been able to make out a case for invoking the extra ordinary jurisdiction under Article 226/227 of the Constitution of India. The petition is liable to be dismissed and it is accordingly, dismissed, in limine.

Sd/-
L.C.Bhadoo
Judge

SP/FS/2005 - 20,000

9.11.05